

SENATE BILL 1043

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0lr3240
CF HB 1472

By: ~~Senators Stoltzfus and Colburn~~, **Colburn, and Dyson**

Introduced and read first time: February 26, 2010

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 25, 2010

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 4, 2010

CHAPTER _____

1 AN ACT concerning

2 **Hunting Wild Waterfowl – Dorchester, St. Mary's, Somerset, and Wicomico**
3 **Counties**

4 FOR the purpose of altering the location in which a person may hunt wild waterfowl
5 by certain methods in the waters of Dorchester, St. Mary's, Somerset, and
6 Wicomico counties; decreasing the distance from shore that the Department of
7 Natural Resources prescribes by regulation for the hunting of wild waterfowl by
8 certain methods in the waters of Dorchester, St. Mary's, Somerset, and
9 Wicomico counties; and generally relating to hunting wild waterfowl in the
10 waters of Dorchester, St. Mary's, Somerset, and Wicomico counties.

11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 10–604 through 10–606
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2009 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Natural Resources**

19 10–604.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) A person may hunt wild waterfowl while standing in water on the natural
2 bottom only in the waters of the Susquehanna Flats, the nontidal waters of the
3 Potomac River, **THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**
4 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**
5 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**
6 **COUNTIES,** and in other waters of the State in areas and on days the Department
7 prescribes by regulation.

8 (b) A person may hunt wild waterfowl while standing in water on the natural
9 bottom at a licensed offshore stationary blind or blind site.

10 (c) A person hunting wild waterfowl while standing in water on the natural
11 bottom shall remain at least 250 yards from all offshore stationary blinds or blind sites
12 or another person hunting wild waterfowl offshore.

13 (d) (1) A person hunting wild waterfowl while standing in water on the
14 natural bottom shall be at least 800 yards from shore including shore emerging at
15 mean low water except in the waters of the Potomac River, in the waters of the
16 Susquehanna Flats, in the waters of Harford and Baltimore counties, **IN THE WATERS**
17 **OF TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG**
18 **ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE**
19 **WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES,** or while
20 hunting at a licensed stationary blind or blind site.

21 (2) A person hunting wild waterfowl while standing in water on the
22 natural bottom shall be at least 400 yards from shore, including shore emerging at
23 mean low water, in the following areas:

24 (i) The waters of the Susquehanna Flats;

25 (ii) The tidal waters of the Potomac River that the Department
26 by regulation prescribes for hunting under subsection (a) of this section; [and]

27 (iii) The waters of Harford ~~and~~, Baltimore, AND ST. MARY'S
28 counties that the Department by regulation prescribes for hunting under subsection
29 (a) of this section; AND

30 (IV) **THE WATERS OF TANGIER SOUND, FISHING BAY,**
31 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**
32 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**
33 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**
34 **FOR HUNTING UNDER SUBSECTION (A) OF THIS SECTION.**

35 (e) A person may not hunt wild waterfowl while standing in State waters on
36 the natural bottom when the natural bottom is privately owned, unless the hunter has
37 the written permission of the landowner.

1 (f) Except at a licensed stationary blind or blind site, a nonresident may not
 2 hunt wild waterfowl while standing in water on the natural bottom unless
 3 accompanied by a Maryland resident.

4 10-605.

5 (a) A person may hunt wild waterfowl from a boat that is drifting or being
 6 sculled, only in:

7 (1) The nontidal waters of the Potomac River, Conococheague Creek,
 8 and the Monocacy River;

9 (2) The Susquehanna Flats, Elk River, and that portion of the
 10 Sassafra River in Cecil County located west of 75 degrees 58 minutes 45 seconds;

11 (3) Chincoteague Bay, Sinepuxent Bay, Isle of Wight, Assawoman
 12 Bay, and their respective tributaries in Worcester County;

13 (4) **THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,
 14 MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES
 15 STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO
 16 COUNTIES; or**

17 **[(4)] (5)** Zones prescribed by the Department by regulation.

18 (b) While hunting wild waterfowl from a boat that is drifting or being
 19 sculled, a person shall remain at least 250 yards from all offshore stationary blinds or
 20 blind sites or another person hunting wild waterfowl offshore.

21 (c) (1) A person hunting wild waterfowl from a boat that is drifting or
 22 being sculled shall be at least 800 yards from shore including shore emerging at mean
 23 low water except in the waters of the Potomac River, in the waters of the
 24 Susquehanna Flats, in the waters of Harford ~~and~~ Baltimore, **AND ST. MARY'S**
 25 **counties, IN THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,
 26 MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES
 27 STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO
 28 COUNTIES,** in Conococheague Creek, and in the Monocacy River.

29 (2) A person hunting wild waterfowl from a boat that is drifting or
 30 being sculled shall be at least 400 yards from shore, including shore emerging at mean
 31 low water, in the following areas:

32 (i) The waters of the Susquehanna Flats;

1 (ii) The tidal waters of the Potomac River that the Department
 2 by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section;
 3 [and]

4 (iii) The waters of Harford ~~and~~, Baltimore, AND ST. MARY'S
 5 counties that the Department by regulation prescribes for hunting under subsection
 6 [(a)(4)] **(A)(5)** of this section; AND

7 **(IV) THE WATERS OF TANGIER SOUND, FISHING BAY,**
 8 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**
 9 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**
 10 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**
 11 **FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.**

12 (d) A nonresident may not hunt wild waterfowl from a boat that is drifting or
 13 being sculled unless accompanied by a Maryland resident.

14 10-606.

15 (a) A person may hunt wild waterfowl from a boat that is anchored only in:

16 (1) The nontidal waters of the Potomac River;

17 (2) The waters of the Susquehanna Flats, Elk River, and that portion
 18 of the Sassafras River in Cecil County located west of 75 degrees 58 minutes 45
 19 seconds;

20 (3) The waters of Chincoteague Bay, Sinepuxent Bay, Isle of Wight,
 21 Assawoman Bay, and their respective tributaries in Worcester County;

22 **(4) THE WATERS OF TANGIER SOUND, FISHING BAY, MONIE BAY,**
 23 **MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES**
 24 **STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND WICOMICO**
 25 **COUNTIES; or**

26 **[(4)] (5)** Zones prescribed by the Department by regulation.

27 (b) A person may hunt wild waterfowl from a boat that is anchored at a
 28 licensed offshore stationary blind or blind site.

29 (c) A person hunting wild waterfowl from a boat that is anchored shall
 30 remain 250 yards from all offshore stationary blinds or blind sites or another person
 31 hunting wild waterfowl offshore.

32 (d) (1) A person hunting wild waterfowl from a boat that is anchored shall
 33 be at least 800 yards from shore including shore emerging at mean low water except in

1 the waters of the Potomac River, in the waters of the Susquehanna Flats, in the
2 waters of Harford ~~and~~, Baltimore, AND ST. MARY'S counties, **IN THE WATERS OF**
3 **TANGIER SOUND, FISHING BAY, MONIE BAY, MANOKIN RIVER, BIG**
4 **ANNEMESSEX RIVER, POCOMOKE SOUND, AND KEDGES STRAITS IN THE**
5 **WATERS OF DORCHESTER, SOMERSET, AND WICOMICO COUNTIES,** or unless
6 anchored at a licensed offshore stationary blind or blind site.

7 (2) A person hunting wild waterfowl from a boat that is anchored shall
8 be at least 400 yards from shore, including shore emerging at mean low water, in the
9 following areas:

10 (i) The waters of the Susquehanna Flats;

11 (ii) The tidal waters of the Potomac River that the Department
12 by regulation prescribes for hunting under subsection [(a)(4)] **(A)(5)** of this section;
13 [and]

14 (iii) The waters of Harford ~~and~~, Baltimore, AND ST. MARY'S
15 counties that the Department by regulation prescribes for hunting under subsection
16 [(a)(4)] **(A)(5)** of this section; **AND**

17 **(IV) THE WATERS OF TANGIER SOUND, FISHING BAY,**
18 **MONIE BAY, MANOKIN RIVER, BIG ANNEMESSEX RIVER, POCOMOKE SOUND,**
19 **AND KEDGES STRAITS IN THE WATERS OF DORCHESTER, SOMERSET, AND**
20 **WICOMICO COUNTIES THAT THE DEPARTMENT BY REGULATION PRESCRIBES**
21 **FOR HUNTING UNDER SUBSECTION (A)(5) OF THIS SECTION.**

22 (e) Except at a licensed stationary blind or blind site, a nonresident may not
23 hunt wild waterfowl from a boat that is anchored unless accompanied by a Maryland
24 resident.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.